

upon completion of the final inspection of that portion of the work by the DISTRICT, be the sole maintenance responsibility of the DISTRICT, and all items of construction which are stipulated in this Agreement to be maintained by the AUTHORITY shall, upon completion of construction, be the sole maintenance responsibility of the AUTHORITY.

## VII. GENERAL

1. It is understood and agreed that this is an Intergovernmental Agreement between the FOREST PRESERVE DISTRICT OF WILL COUNTY and THE ILLINOIS STATE TOLL HIGHWAY AUTHORITY.
2. It is understood and agreed by the parties hereto, that the AUTHORITY shall have jurisdiction of the TOLL HIGHWAY. The DISTRICT shall retain jurisdiction of Forest Preserves traversed or affected by the TOLL HIGHWAY except as otherwise expressly provided for in this Agreement. For the purpose of this Agreement, jurisdiction shall mean the authority and obligation to administer, control, construct, reconstruct, maintain, and operate.
3. Wherever in the Agreement, approval, or review of either the DISTRICT or the AUTHORITY is provided for, said approval or review shall not be unreasonably

UNIT 5-96 NOV 17 10 12 1000 AM 1000

delayed or withheld.

4. In the event of a dispute between the DISTRICT and AUTHORITY representatives in the preparation of Plans and Specifications, or changes thereto, or in carrying out the terms of this Agreement, the Chief Engineer of the AUTHORITY and the Superintendent of Planning of the DISTRICT shall meet and resolve the issue.
5. Any dispute concerning the Plans and Specifications or in carrying out the terms of this Agreement that is not resolved as provided above shall be resolved by decision of the Director of the DISTRICT and the Executive Director of the AUTHORITY, and their decision shall be final.
6. Not later than fourteen (14) days after the execution of this Agreement, each party shall designate a representative, in writing, to the other party who shall serve as the representative of the said party during the carrying out of the construction of the PROJECT. Each representative shall have authority, on behalf of such party, to receive notices and make inspections relating to the work covered by this Agreement. Representatives may be changed, from time to time, by subsequent written notice. Each representative shall be readily available to the other party.

7. THIS AGREEMENT may be executed in two or more counterparts each of which shall be deemed an original and all of which shall be deemed one and the same instrument.

8. THIS AGREEMENT and the covenants contained herein shall become null and void in the event the contract covering the construction work contemplated herein is not awarded within 3 years subsequent to execution of this AGREEMENT.

#### MODIFICATIONS

THIS AGREEMENT is not subject to modifications except in writing, executed by the duly authorized representatives of the parties.

#### SUCCESSORS AND ASSIGNS

THIS AGREEMENT shall be binding upon and inure to the benefit of the parties hereto and their respective successors and assigns.

#### GOVERNING LAWS

It is agreed that the laws of the State of Illinois shall apply to this Agreement and that, in the event of litigation, venue shall lie in DuPage County.

**NOTICES**

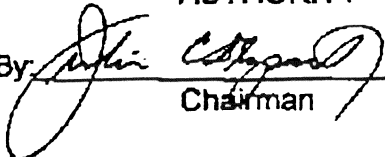
All notices shall be in writing and shall be personally delivered or mailed to the following persons at the following addresses:

**To AUTHORITY:**           The Illinois State Toll Highway Authority  
One Authority Drive  
Downers Grove, IL 60515  
Attention: Chief Engineer

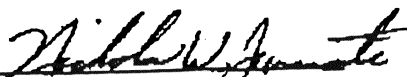
**To DISTRICT:**           Forest Preserve District of Will County  
22606 South Cherry Hill Road  
Joliet, Illinois 60433  
Attention: Assistant Director

IN WITNESS WHEREOF, the parties have executed the AGREEMENT on the date first above written.

THE ILLINOIS STATE TOLL HIGHWAY  
AUTHORITY

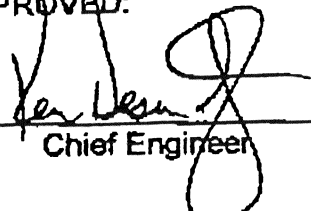
By:   
Chairman

ATTEST:

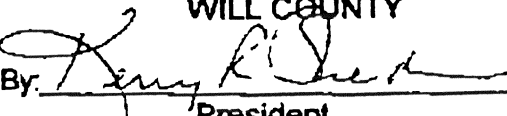
By:   
Assistant Secretary

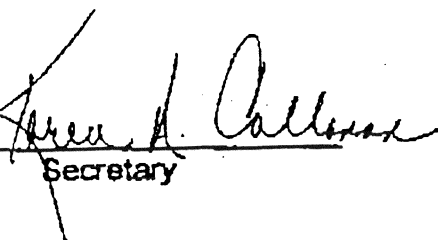
Date 4-11, 19 96

APPROVED:

By:   
Chief Engineer

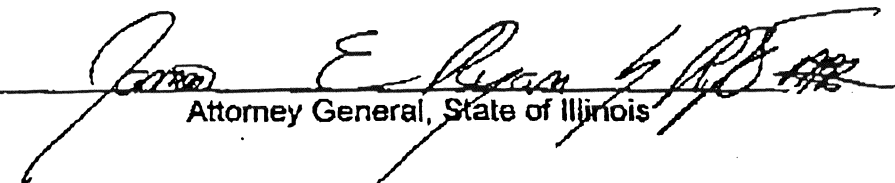
FOREST PRESERVE DISTRICT OF  
WILL COUNTY

By:   
President

By:   
Secretary

Date 3/14, 19 96

APPROVED AS TO FORM AND CONSTITUTIONALITY

  
Attorney General, State of Illinois



*The Illinois State Toll Highway Authority  
2700 Ogden Avenue  
Downers Grove, Illinois 60515-1703  
630/241-6800  
Fax: 630/241-6100  
T.T.Y. 630/241-6898*

July 11, 2001

Steve Hamer, IDNR  
Transportation Review Program  
Impact Analysis Zone  
Lincoln Tower Plaza  
524 South Second Street  
Springfield, Illinois 62701-1787

RE: FAP 340  
Interstate 355 South Extension  
Interstate 55 to Interstate 80  
Cook, DuPage and Will Counties

Dear Mr. Hamer:

The Illinois State Toll Highway Authority and Illinois Department of Transportation reviewed your April 20, 2001 letter regarding the presence of endangered and threatened species, nature preserves and Illinois Natural Area Inventory sites (INAI) in the vicinity of the proposed I-355 South Extension. In your correspondence you indicated that consultation on this project is considered "open" until resolution is finalized on the selection of an alignment and possible mitigation is resolved.

As a matter of clarification, the data you provided us was intended to be used as background information to prepare a comparative analysis of potential impacts along the three build alternatives identified in the December 2000, Draft Supplemental Environmental Impact Statement (DSEIS). The data provided by your agency will be used to perform a macro-level assessment of the potential impacts of each alternative. The DSEIS clearly indicates that the proposed Tollroad/Freeway Alternative is the preferred alternative.

The Illinois Natural History Survey (INHS) updated all of their biological resource surveys during the fourth quarter of 1998. The INHS surveys for Vegetation and Cover Types, Wildlife, and Threatened and Endangered Species indicated that the study area remained relatively unchanged from earlier studies and, therefore no additional fieldwork is necessary. The results of the INHS surveys were coordinated with your office and are summarized in the DSEIS. Additionally, the INHS also conducted a reevaluation of wetland resources in June 2000. The results of this survey were also coordinated with your office and are summarized in the DSEIS. All applicable resource data will be updated and re-coordinated with your office at the appropriate time.

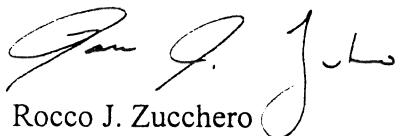
Mr. Steve Hamer  
Interstate 355 South Extension  
Page 2 of 2

Mitigation and commitments regarding biological and wetland resource impacts are documented in the DSEIS and have been coordinated and approved by your office.

Based on the information outlined above we are requesting that the consultation process be closed. However, we will continue to coordinate with your office to update resource data and to ensure that our agreed upon commitments and mitigation are implemented to meet your needs.

We appreciate your participation in this study and look forward to continued coordination with your office. If you have any questions or require additional information, please contact me at 630-241-6800 extension 3909.

Sincerely,

A handwritten signature in black ink, appearing to read "Rocco J. Zuccherro". The signature is fluid and cursive, with the first name "Rocco" being the most prominent part.

Rocco J. Zuccherro  
Senior Environmental Planner

bcc: Kathy Ames/Charles Perino, IDOT  
Pat Pechnick, IDOT  
Rich Christopher, IDOT  
Marty Joyce, HDR Engineering



# Illinois Department of Natural Resources

RECEIVED

AUG - 1 2001

ENGINEERING  
PLANNING

<http://dnr.state.il.us>

524 South Second Street, Springfield, Illinois 62701-1787

George H. Ryan, Governor • Brent Manning, Director

July 25, 2001

Mr. Rocco J. Zuccherio  
Illinois State Toll Highway Authority  
2700 Ogden Avenue  
Downers Grove, Illinois 60515-1703

RE: FAP 340  
I-355 South Extension  
I-55 to I-80  
Cook, DuPage and Will Co.  
Proj. Code: 102598

Dear Mr. Zuccherio:

The Illinois Department of Natural Resources has received your letter of July 11, 20001 which gave clarification of a recent resource review by our office on the above referenced project. It was pointed out that the Tollway/Freeway Alternative is still the preferred alternative and the others were for a comparative analysis of potential impacts. Based on this information and your commitments in the DSEIS to be implemented, consultation is closed on this project.

Again, the resource information needs to be updated on a three year basis until the project has been let for bid. If you have any questions on the above, please contact me at 217-785-5500.

Sincerely,

Steve Hamer  
Transportation Review Program  
Division of Natural Resource Review and Coordination

cc: John Nelson (Nature Preserves Commission)  
Jeff Mengler (USFWS)





# Illinois Historic Preservation Agency

1 Old State Capitol Plaza • Springfield, Illinois 62701-1507 • (217) 782-4836 • TTY (217) 524-7128

Post-it® Fax Note	7671	Date	7/25/01	# of pages	2
To	Marilyn Joyce		From	Pat Richards	
Co./Dept.			Co.		
Phone #			Phone #		
Fax #	202 773/380-7979		Fax #		

Various County

Joliet to Lemont

FAP Route 340 (I-355 South Extension), I-55 to I-80, Cook, DuPage, & Will  
Counties

I-355 Extension

IHPA LOG #0101280001WVA

July 18, 2001

John Kos

Illinois Department of Transportation

Division of Highways

District 1

201 West Center Court

Schaumburg, IL 60196-1096

Dear Mr. Kos:

We have received your letter dated June 14, 2001 concerning our comments dated February 28, 2001 regarding the treatment of historic structures in the Draft Supplemental Final EIS for the above referenced project. We concur with your comments that these properties have been adequately surveyed and addressed in prior submittals to this office.

However, we will need to see Stipulation 3 of the Memorandum of Agreement, regarding the demolition of the Lustron House, satisfied before we can conclude the Section 106 consultation process for this project. The Federal Highway Authority concurred with this office in an IDOT coordination meeting on August 17, 2000 that if ISTHA would proceed with Option 1 (from IHPA letter dated Oct. 7, 1998), Stipulation 3 of the Memorandum of Agreement would be adequately addressed and the Section 106 process would be complete for the above referenced project. Please submit the following to this office as soon as possible:

Approximate scheduled completion date for the Lustron House resource brochure (Option 1) to be developed by ISTHA.

Draft of the above for review and approval by this office.

Submittal of the above documentation and review and approval of the resource brochure for distribution by this office will constitute compliance with Section 106 of the National Historic Preservation Act of 1966, as amended.



**Illinois Historic  
Preservation Agency**

1 Old State Capitol Plaza • Springfield, Illinois 62701-1507 • (217) 782-4836 • TTY (217) 524-7128

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If you have any questions, please contact Cody Wright, Cultural Resources Manager, Illinois Historic Preservation Agency, 1 Old State Capitol Plaza, Springfield, IL 62701, 217-785-3977.

Sincerely,

*Anne E. Haaker*

Anne E. Haaker  
Deputy State Historic  
Preservation Officer

AEH:CW:cw



# Illinois Department of Transportation

201 West Center Court  
Schaumburg, IL 60196-1096

## Informal Transmittal

To:	Peter Harmet
Bureau:	Programming
Attn:	

Date:	08/30/01
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From:	Sam Mead
Bureau:	Programming
	Environmental Unit
Subject:	FAP 340; I-55 to I-80
	Special Waste Validation

### Please check appropriate box below:

- ☐ Take Necessary Action
- ☐ For Your Comments
- ☐ Per Your Request
- ☐ For Your Approval

- ☒ For Your Information
- ☐ See Me About the Attached
- ☐ Draft (Letter)(Memo) For  
My signature

- ☐ Reply
- ☐ Return
- ☐ Route
- ☐ File

### Message

I have reviewed the Preliminary Environmental Site Assessment reports for the subject project. There are no major land use changes within the proposed project area, and no new CERCLIS sites were found. All property for this project has been acquired by the Illinois State Toll Highway Authority. Therefore, the Illinois Department of Transportation is concluding its special waste investigations and no Preliminary Site Investigation will be required.

Signature

Copies to  
Response

PESA File

Signature